

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ISAAC L. DAVIS,)
Plaintiff,)
v.)
JO ANNE B. BARNHART,)
Commissioner of Social)
Security,)
Defendant.)
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No. 06-CV-0178-MWL
ORDER FOR STIPULATED REMAND

The parties have filed a stipulation for remand of the above captioned case to the Commissioner for further administrative proceedings. (Ct. Rec. 17). The parties have consented to proceed before a magistrate judge. (Ct. Rec. 6). After considering the stipulation

IT IS ORDERED that the above -captioned case be remanded to the Commissioner for further administrative proceedings. Upon remand, the Administrative Law Judge (ALJ) will update the record; evaluate plaintiff's mental impairment in accordance with the psychiatric review technique, providing specific findings and appropriate rationale for each of the four functional areas described in § 416.920a(c); evaluate plaintiff's obesity; reassess plaintiff's residual functional capacity, providing rational with specific

1 references to evidence of record; in particular, consider
2 plaintiff's ability to balance and any specific balancing
3 limitations; obtain vocational expert testimony to clarify the
4 effect of the assessed limitations on plaintiff's occupational base;
5 and complete any other action necessary to develop the record and
6 issue a new decision.

7 The court reverses the Commissioner's decision under sentence
8 four of 42 U.S.C. 405(g) with a remand of the cause to the
9 Commissioner for further proceedings. *See Melkonyan v. Sullivan*,
10 501 U.S. 89 (1991).

11 **IT IS FURTHER ORDERED:** Judgment shall be entered for the
12 **PLAINTIFF.** An application for attorney fees may be filed by
13 separate motion. The District Court Executive is directed to enter
14 this Order, forward copies to counsel, and thereafter shall close
15 this file.

16 DATED this 30th day of November 2006.

17 /s/ Michael W. Leavitt

18 MICHAEL W. LEAVITT
19 UNITED STATE MAGISTRATE JUDGE

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